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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Docket No. '08 MJ 2263
v.	COMPLAINT FOR VIOLATION OF:
Jesus LOPEZ-Loaeza, Defendant	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **July 23, 2008,** within the Southern District of California, defendant, **Jesus LOPEZ-Loaeza,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **25th** DAY OF **JULY, 2008**

Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Jesus LOPEZ-Loaeza

PROBABLE CAUSE STATEMENT

On July 23, 2008, at about 10:45 p.m., Senior Patrol Agent B. Nangle and Supervisory Border Patrol Agent S. Zimmer responded to a seismic intrusion device which is Northeast of the Otay Mesa, California Port of Entry.

Upon arriving in the area and after a short wait, five subjects approached Agent Zimmer who was concealed in some brush. When Agent Zimmer identified himself as a Border Patrol Agent, three of the subjects ran and Agent Zimmer gave chase. Agent Nangle was able to secure one individual, later identified as the defendant **LOPEZ-Loaeza, Jesus.** Agent Nangle then conducted a field immigration interview. Agent Nangle questioned LOPEZ as to his immigration status. **LOPEZ** admitted to being a citizen and national of Mexico. LOPEZ admitted that he had crossed the international border illegally and did not possess any valid U.S. immigration documents that would allow him to enter or remain in the United States legally. At approximately 11:48 PM, LOPEZ was placed under arrest and transported to the Brown Field Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on July 14, 2008** through **Paso Del Norte, Texas.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.